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October 5, 2007

BY FACSIMILE

Honorable Loretta A. Preska
United States District Judge
United States Courthouse
500 Pearl Street, Room 1320
New York, New York 10007

Re: Kaur v. NYC Health and Hospitals Corporation
07 Civ. 6175 (LAP) (MHD)

Dear Judge Preska:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel for the City of New York, and write on behalf of defendant New York City Health and Hospitals Corporation to request an extension of the time to respond to the complaint filed in this action. Plaintiff served the Defendant with a summons and amended complaint on September 19, 2007 and its response is due on October 9, 2007.¹

This is the Defendant's first request for an extension of time. Because I was just assigned this matter this afternoon, I immediately contacted Walker Harman, plaintiff's counsel, to seek his consent to this extension request. However, I spoke with plaintiff's receptionist, Ms. Alberta Jacques, who informed me that Mr. Harman was unavailable and would not be returning to the office today. I left a voice message for plaintiff's counsel, informing him of my request for an extension of time to respond to the complaint and that we would be sending a letter to the Court concerning the extension request. As Monday is a holiday, and defendant must serve a response on Tuesday October 9, 2007, this letter is therefore submitted without plaintiff's consent.

¹ Plaintiff filed a Complaint on July 2, 2007 and prior to serving said complaint upon defendant, plaintiff subsequently amended the Complaint on August 7, 2007.

In order to respond to the complaint on behalf of the Defendant, which must be grounded in knowledge, information and belief formed after reasonable inquiry, as required by Rule 11 of the Federal Rules of Civil Procedure, I must identify, locate and interview those persons with knowledge of the allegations set forth in the complaint. In addition, I must identify, locate and review any documents relevant to plaintiff's claims. An extension of time will provide us with sufficient time to investigate Plaintiff's allegations and to review documents that might be relevant to this action.

Defendant therefore respectfully requests an extension of time to November 13, 2007 to respond to the complaint to fulfill their obligations and to respond meaningfully to the allegations asserted against them.

Thank you for your consideration of this request.

Sincerely yours,


Christopher L. Heer (CH 1086)
Assistant Corporation Counsel

cc: Walker G. Harman, Esq. (by Fax)
(212) 971-0417

Application is granted.
So ordered:
Barbara Jones
10/9/07